

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
ALABAMA, SOUTHERN DIVISION**

KELLEY FOODS OF ALABAMA, INC., )  
Plaintiff, )  
v. )  
MYERS NISSI & COMPANY, INC.; a ) CIVIL ACTION NO. 1:04 - cv-01246-  
corporation d/b/a VERTICALSOFT, ) MHT-DRB  
Defendant. )

**NOTICE OF APPEARANCE**

**COMES NOW**, Howard P. Walthall, Esq. of the law firm of Burr & Forman LLP and hereby gives notice of his appearance as additional counsel for Plaintiff Kelley Foods of Alabama, Inc. and requests notification of court filings through the ECF System.



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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of March, 2006, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all properly registered parties and to the extent they are not properly registered with the Court's ECF system, they have been served by directing same to their office addresses via first-class, United States mail, postage prepaid:

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